

ORDINANCE NO. 13-19

AN ORDINANCE PROTECTING BICYCLE RIDERS

WHEREAS, the City of West Lafayette has a duty to conserve and promote the health, safety, peace, and good order of the community, which duty includes the need for providing safe roadways for bicyclists and ensuring the City is a bicycle-friendly community; and

WHEREAS, hundreds of bicyclists nationwide are killed each year in crashes with motor vehicles; and

WHEREAS, studies have found that promoting bicycle-friendly communities can improve the general health of the citizenry, increase property values, enhance economic activity, reduce traffic congestion, and decrease air pollution; and

WHEREAS, this ordinance is necessary to provide safe roadways to bicyclists and to better ensure the City is a bicycle-friendly community.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF WEST LAFAYETTE that the following changes are to be made to the West Lafayette City Code:

SECTION ONE: Sec. 38-207 (Careless operation of vehicles; vulnerable road user) is amended, effective upon adoption of this ordinance, to read as follows (**additions in bold**):

(a) **As used in this section, *vulnerable road user* means the following:**

(1) **A pedestrian, including a person engaged in work upon a street, highway, or alley, or in work upon a utility facility along a street, highway, or alley, or engaged in the provision of emergency services within the right-of-way; and**

(2) **A person lawfully operating a bicycle, tricycle, or other pedal-powered vehicle on a right-of-way, crosswalk, or a shoulder of a street or highway.**

(b) It is unlawful to operate a vehicle upon any street, highway, or alley within the City with careless disregard for or indifferent lack of attention to surrounding conditions and circumstances.

(c) **A person who violates this section with or without causing physical injury or death to a vulnerable road user shall be fined in an amount established by the City.**

SECTION TWO: Sec. 38-245 (Parking prohibited in specific places) is amended, effective upon adoption of this ordinance, to read as follows (**additions in bold**):

(a) No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the law or the directions of a police officer or traffic control device, in any of the following places:

- (1) Between sidewalk and curb;
- (2) On the traveled portion of any roadway, which does not have a curb or gutter, when such stopping, standing or parking would obstruct traffic;
- (3) Upon any islands which separate traffic lanes; **and**
- (4) In a bicycle lane, multi-use path, cycle track or other area designated for bicycles, except within eight blocks of the Purdue football stadium or basketball arena on the day of a major event at the football stadium or basketball arena (such as a Purdue University varsity football or basketball game or a semi-state tournament basketball game).**

(b) No person shall move a vehicle not lawfully under the person's control into any such prohibited area or away from a curb such distance as is unlawful.

SECTION THREE: Sec. 38-257 (Unsafe opening of vehicle door) is added to the West Lafayette City Code as a new section, effective upon adoption of this ordinance, to read as follows:

(a) Subject to all other laws pertaining to stopping, standing, and parking a motor vehicle, a person while stopping, standing, or parking a motor vehicle on or next to a highway, street, or alley shall do all of the following:

- (1) Open the door of the motor vehicle when it is reasonably safe to do so and can be done without interfering with the movement of traffic and pedestrians and bicycles traveling on sidewalks, shoulders, or bicycle lanes; or**
- (2) Cause a door to only remain open on the side of the motor vehicle for a period of time that is necessary to load or unload passengers or items.**

(b) A person who violates this section is subject to a fine in an amount established by the City.

SECTION FOUR: Sec. 38-314 (Areas designated for bicycle operation) is added to the West Lafayette City Code as a new section, effective upon adoption of this ordinance, to read as follows:

(a) A person operating a bicycle upon a street or highway at less than the normal speed of traffic shall ride in the right-hand lane of the street or highway subject to the following:

- (1) If the right-hand lane is wide enough to be safely shared with overtaking vehicles, a person operating a bicycle shall ride far enough to the right as judged safe by the bicyclist to facilitate the movement of such overtaking vehicles.**

(2) A person operating a bicycle may use a lane other than the right-hand lane when:

- (A) Overtaking or passing another vehicle proceeding in the same direction;**
- (B) Preparing for a left turn at an intersection or into a private road or driveway;**
- (C) Reasonably necessary to avoid conditions, including, but not limited to: fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or lanes that are too narrow for a bicycle and a motor vehicle to travel safely side by side within such lanes;**
- (D) Approaching an intersection where right turns are permitted and there is a dedicated right turn lane, in which case a bicyclist may ride on the left-hand side of such dedicated lane, even if the bicyclist does not intend to turn right;**

- (E) Riding on a roadway designated for one-way traffic, when the bicyclist may ride as near to the left-hand curb or edge of such roadway as judged safe by the bicyclist; or
- (F) Riding on parts of roadways set aside for the exclusive use of bicycles, including, but not limited to: contra-flow bicycle lanes, left-handed cycle tracks or bicycle lanes on one-way streets and two-way cycle tracks or bicycle lanes.
- (b) A person operating a bicycle shall not be required to:
- (1) Ride over or through hazards at the edge of a roadway, including but not limited to: fixed or moving objects, parked or moving vehicles, bicycles, pedestrians, animals, surface hazards, or narrow lanes; or
 - (2) Ride without a reasonable safety margin on the right-hand side of the roadway.
- (c) Subject to subsection (d), a person operating a bicycle or other authorized vehicle in a bicycle lane, multi-use path, cycle track or other area designated for bicycles, shall have the same rights to cross an intersecting street or highway as does an operator of a motor vehicle who comes upon the same intersection.
- (d) If a pedestrian crosswalk sign or signal exists within a bicycle lane, multi-use path, cycle track or other area designated for bicycles, a person operating a bicycle or other authorized vehicle in that lane, path, track, or area shall obey the crosswalk sign or signal.
- (e) Notwithstanding any other provision of the City Code, a person may only operate a bicycle in a crosswalk if the crosswalk is located at two or more intersecting roads and if the crosswalk immediately connects two bicycle lanes, multi-use paths, cycle tracks or other areas designated for bicycles.
- (f) A person operating a bicycle in compliance with this section and not violating any other section of law is not impeding traffic.

SECTION FIVE: Sec. 2-288 (Fines) is amended in the West Lafayette City Code, effective upon publication of this ordinance, to add the following items to the table of fines:

Section	Description	Fine
38-207	Careless operation of vehicle without causing injury or death to vulnerable road user	\$100.00
38-207	Careless operation of vehicle, causing injury or death to vulnerable road user	\$1,000.00
38-257	Unsafe opening of vehicle door	\$100.00

INTRODUCED ON FIRST READING ON THE _____ DAY OF _____, 2019.

MOTION TO ADOPT MADE BY COUNCILOR _____, AND
SECONDED BY COUNCILOR _____.

DULY ORDAINED, PASSED, AND ADOPTED BY THE COMMON COUNCIL OF THE
CITY OF WEST LAFAYETTE, INDIANA, ON THE _____ DAY OF
_____, 2019, HAVING BEEN PASSED BY A VOTE OF ____ IN FAVOR
AND ____ OPPOSED, THE ROLL CALL VOTE BEING:

	AYE	NAY	ABSENT	ABSTAIN
Bunder				
DeBoer				
Dietrich				
Jones				
Keen				
Leverenz				
Sanders				
Thomas				
Wang				

Peter Bunder, Presiding Officer

Attest:

Sana G. Booker, Clerk

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA
ON THE _____ DAY OF _____, 2019.

Sana G. Booker, Clerk

THIS ORDINANCE APPROVED AND SIGNED BY ME ON THE _____ DAY OF
_____, 2019.

John R. Dennis, Mayor

Attest:

Sana G. Booker, Clerk